



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 10/21/03
AGENDA ITEM 2
WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Sale of Surplus Property to Adjoining Property Owner at 28 West Harder Road

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution authorizing the City Manager to sell Surplus Property Parcel No. 121 to the adjoining property owner.

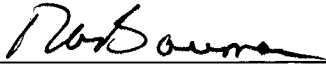
DISCUSSION:

This parcel of land was purchased as a portion of a larger parcel for the Harder Road widening project in 1966. The Harder Road widening and, more recently, the Harder Road undercrossing have now been constructed, and landscaping has been planted separating this parcel from the new street. Now that the project has been completed, this parcel is no longer needed. Conveyance of this property will eliminate any City obligation to maintain the parcel and other associated City liability. The City will retain all abutter's rights of access and egress to Harder Road from this parcel. A condition of purchase will be that the surplus parcel will be merged with the buyer's parcel, so that no small, non-conforming parcel will remain.

The Streets & Highways Code authorizes the conveyance of surplus right-of-way parcels, which are not buildable properties, to the adjoining property owners at the discretion of the City. The adjoining owner is interested in purchasing this parcel consisting of approximately 1835 square feet, and has agreed to pay \$15/s.f., or \$27,525, which staff established as the fair market value of this parcel.

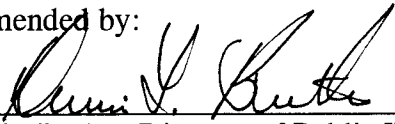
The Planning Commission held a public hearing on this proposal at its regular meeting of September 25, 2003. The Commission recommended that the City Council find that the project is categorically exempt from C.E.Q.A., and not in conflict with the General Plan, and recommended that the City Council authorize the City Manager to execute a deed conveying the property to the adjoining property owner.

Prepared by:



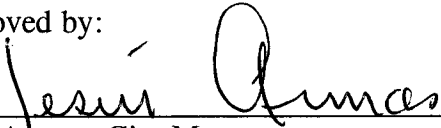
Robert A. Bauman, Deputy Director of Public Works

Recommended by:



Dennis L. Butler, Director of Public Works

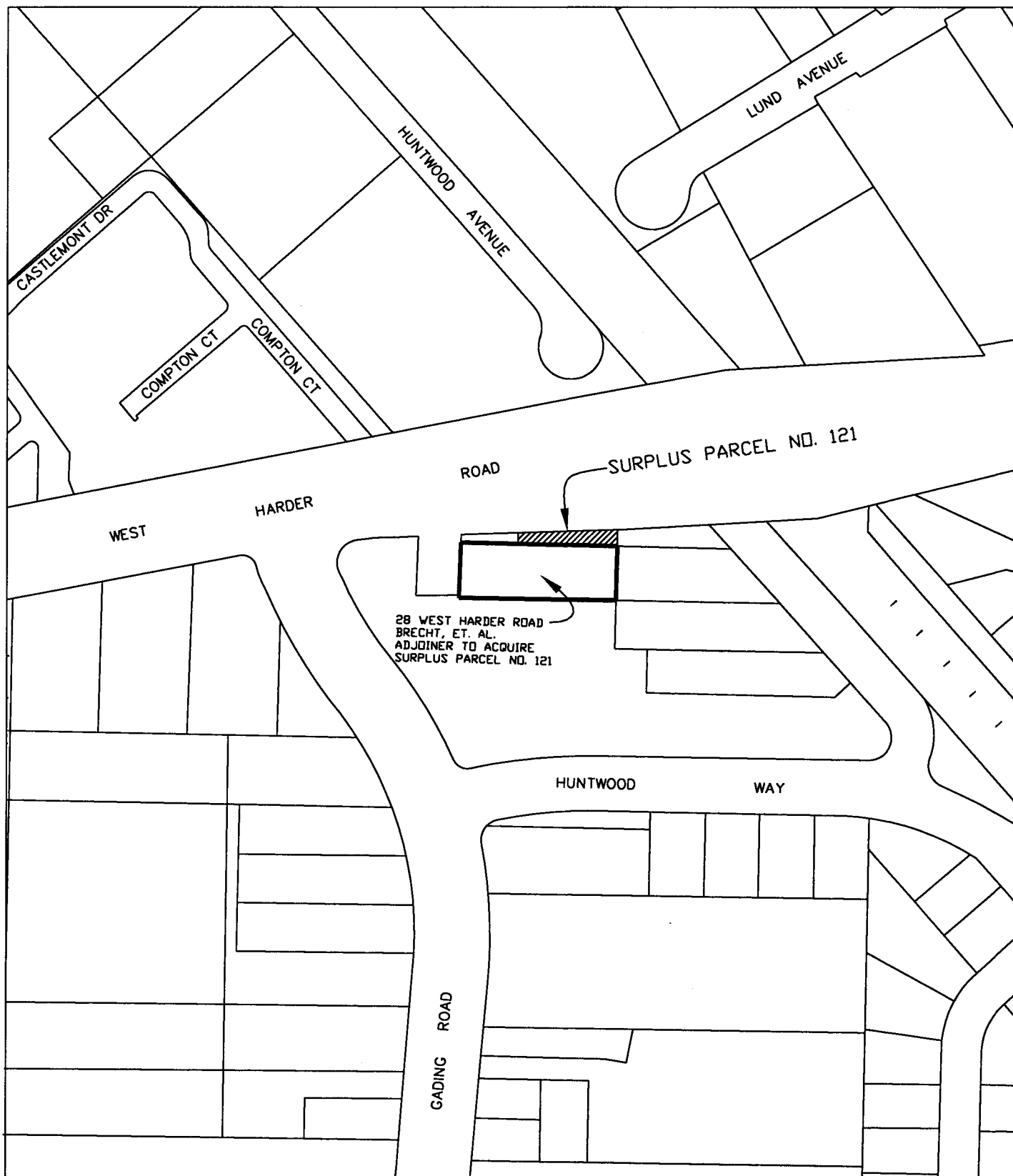
Approved by:



Jesús Armas, City Manager

Exhibit A: Vicinity Map

Exhibit B: Plot Map



VICINITY MAP

Exhibit A

A circular professional seal for James Norman Payne, a Licensed Land Surveyor in the State of California. The seal features the text "LICENSED LAND SURVEYOR" around the top inner edge and "STATE OF CALIFORNIA" around the bottom inner edge. In the center, the name "JAMES NORMAN PAYNE" is written in an arc. Below the name, the expiration date "Exp: 9-30-05" and the license number "No: 4388" are printed.

GADING ROAD

-CENTERLINE OF GADING ROAD PER "MAP OF THE EXTENSION OF THE MEEK ORCHARD TRACT" (26 MAPS 93). PORTION OF GADING VACATED BY RESOLUTION 69-014, JANUARY 14, 1969.

P.O.C.

N00°08'00"W
12.00

N87°03'32"E 122.49

70.21

- P.O.B.

S89°52'00"W 122.34

DIR. PUBLIC WORKS

Exhibit B

DRAFT NH 10/7/03

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION AUTHORIZING SALE OF SURPLUS
PROPERTY PARCEL NO. 121 TO THE ADJOINING
PROPERTY OWNER AT WEST HARDER ROAD

WHEREAS, Surplus Parcel No. 121 was purchased in 1966 as a portion of a larger parcel for the Harder Road Widening Project; and

WHEREAS, construction has now been completed on the recent Harder Road Undercrossing Project, and Surplus Parcel No. 121 is no longer needed for public purposes; and

WHEREAS, the adjoining property owner is interested in purchasing the parcel, consisting of approximately 1835 square feet, for \$15 per square foot, for a total of \$27,525, which staff has established as the fair market value of the parcel; and

WHEREAS, a condition of purchase will be that the surplus parcel will be merged with the adjoining property owner's parcel at 28 West Harder Road, so that no small, nonconforming parcel will remain; and

WHEREAS, on September 23, 2003, the Planning Commission recommended that the City Council find that such action is categorically exempt from CEQA and is in conformance with the General Plan, and recommended that the City Council authorize the City Manager to execute a deed conveying the property to the adjoining property owner.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby finds that the sale of Surplus Property Parcel No. 121 to the adjoining property owner is categorically exempt from CEQA and is in conformance with the General Plan.

BE IT FURTHER RESOLVED that the City Council hereby authorizes sale of Surplus Property Parcel No. 191, excepting and reserving therefrom rights of access and egress from Harder Road, to the adjoining property owner at 28 West Harder Road for the sum of \$27,525.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute all documents necessary to complete such disposition.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2003

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward